

EXHIBIT A

22-000740-NI FILED IN MY OFFICE Cathy M. Garrett WAYNE COUNTY CLERK 1/20/2022 11:51 AM Carlita McMiller

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

ISMAEL NAGI,

Plaintiff,

Case No. 22-
HON.

-NI

-vs-

OLIVER ARCHIBALD WARLOCK and
FCA TRANSPORT LLC,

Defendants.

MANCINI SCHREUDER KLINE P.C.
ELLEN G. SCHREUDER (P 29146)
Attorneys for Plaintiff
28225 Mound Road
Warren, Michigan 48092-3498
(586) 751-3900/(586) 751-7203 fax
lsloan@mancini-law.com

There another pending or resolved civil action arising
out of the transaction or occurrence alleged in the Complaint.
WCCC, Case No. 22-000398-NF, Hon. Edward Ewell, Jr.

COMPLAINT AND DEMAND FOR JURY TRIAL

NOW COMES the Plaintiff, ISMAEL NAGI, by and through his attorneys, Mancini Schreuder Kline P.C., and for his Complaint against the Defendants, OLIVER ARCHIBALD WARLOCK and FCA TRANSPORT LLC, states:

1. Plaintiff is a resident of the City of Hamtramck, County of Wayne, State of Michigan.
2. Defendant OLIVER ARCHIBALD WARLOCK is a resident of LaSalle, Ontario, Canada.
3. Defendant FCA TRANSPORT LLC, is a foreign limited liability company.
4. The amount in controversy herein exceeds the sum of Twenty-Five Thousand (\$25,000.00) Dollars.
5. On or about September 11, 2019, at approximately 4:50 p.m., Plaintiff was the operator of a certain 2009 Infiniti vehicle, bearing Michigan License Plate No. DPG4884, which was being driven in a southerly direction on I-75 Freeway, at or about the intersection of Mack Avenue, in the City of Detroit, County of Wayne, State of Michigan.

6. At the same time and place, Defendant, FCA TRANSPORT LLC, was the owner of a certain 2011 Mack 600 vehicle, bearing Ontario License Plate No. 5904PY; said vehicle was being operated by Defendant, OLIVER ARCHIBALD WARLOCK, with the expressed or implied consent of the owner, in a southerly direction on I-75 Freeway, at or about the intersection of Mack Avenue, in the City of Detroit, County of Wayne, State of Michigan, when he drove the truck into Plaintiff's right of way and lane of travel without signaling and without adequate space to change lanes.

7. At the said time and place, Defendant, OLIVER ARCHIBALD WARLOCK, owed a duty to Plaintiff, and all others using the streets and highways, to operate this vehicle in a safe, careful and prudent manner, and in accordance with the ordinances of the municipalities, statutes of the State of Michigan, and the common law.

8. Defendant, FCA TRANSPORT LLC, as owner of said vehicle, is legally liable for all injuries Plaintiff suffered as a result of the negligence of Defendant, OLIVER ARCHIBALD WARLOCK.

9. Defendant, OLIVER ARCHIBALD WARLOCK, breached the aforesaid duties and was negligent by the following acts and omissions:

- a. driving upon the highway in a careless and/or negligent manner likely to endanger person or property;
- b. driving carelessly and/or recklessly at a speed greater than would permit him to stop within the assured clear distance ahead, without due regard for weather conditions, road conditions, and any and all other conditions then and there existing;
- c. driving into Plaintiff's lane of travel and right of way;
- d. failing to make proper observation as to traffic while driving a motor vehicle;
- e. failing to use due care and caution in driving this motor vehicle;
- f. driving while distracted;
- g. operating this vehicle while impaired due to consumption of intoxicants and/or controlled substances;
- h. driving this vehicle in willful or wanton disregard for the safety of others;

- i. operating this vehicle at night without the use of necessary headlights;
- j. operating a motor vehicle without adequate and proper equipment including brakes, headlights, taillights and/or horn; and/or
- k. otherwise breaching duties owed.

9. As a direct and proximate result of the aforesaid negligence and breach of duties, Plaintiff, ISMAEL NAGI, suffered serious bodily injuries, including but not limited to:

- a. serious injuries to his neck, shoulders, back, wrist, hip, knees, and related and resultant injuries;
- b. physical pain and suffering;
- c. disability and disfigurement;
- d. mental anguish;
- e. fright and shock;
- f. denial of social pleasures and enjoyment of the usual activities of life;
- g. embarrassment, humiliation and mortification;
- h. loss of earnings and earning capacity; and/or
- i. other damages allowed by law.

WHEREFORE, Plaintiff requests an award of damages in whatever amount in excess of Twenty-Five Thousand (\$25,000.00) Dollars to which he may be found entitled, together with costs, interest and attorney fees.

PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY.

MANCINI SCHREUDER KLINE P.C.

by: /s/ Ellen G. Schreuder
ELLEN G. SCHREUDER (P 29146)
Attorneys for Plaintiff
28225 Mound Road
Warren, Michigan 48092
(586) 751-3900

dated: January 20, 2022

22-000740-NI FILED IN MY OFFICE Cathy M. Garrett WAYNE COUNTY CLERK 1/20/2022 11:51 AM Carlita McMiller

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

ISMAEL NAGI,

Plaintiff,

Case No. 22-
HON.

-NI

-vs-

OLIVER ARCHIBALD WARLOCK and
FCA TRANSPORT LLC,

Defendants.

MANCINI SCHREUDER KLINE P.C.
ELLEN G. SCHREUDER (P 29146)
Attorneys for Plaintiff
28225 Mound Road
Warren, Michigan 48092-3498
(586) 751-3900/(586) 751-7203 fax
lsloan@mancini-law.com

DEMAND FOR TRIAL BY JURY

NOW COMES the Plaintiff, ISMAEL NAGI, by and through his attorneys, Mancini Schreuder Kline P.C., and hereby files a Demand for Trial by Jury in the above titled cause of action.

MANCINI SCHREUDER KLINE P.C.

by: /s/ Ellen G. Schreuder
ELLEN G. SCHREUDER (P 29146)
Attorneys for Plaintiff
28225 Mound Road
Warren, Michigan 48092
(586) 751-3900

dated: January 20, 2022